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COMMISSION ON CRIME PREVENTION
AND CRIMINAL JUSTICE

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Item 3 of the provisional agenda*

REVIEW OF PRIORITY THEMES, IN ACCORDANCE WITH COMMISSION RESOLUTION 1/1
ON STRATEGIC MANAGEMENT BY THE COMMISSION ON CRIME PREVENTION
AND CRIMINAL JUSTICE OF THE UNITED NATIONS CRIME PREVENTION
AND CRIMINAL JUSTICE PROGRAMME

Proposals made by Member States on specific objectives and activities, in accordance
with Commission resolution 1/1 on strategic management by the Commission on
Crime Prevention and Criminal Justice of the United Nations crime
prevention and criminal justice programme

Note by the Secretary-General

I. LEGISLATIVE MANDATE

1. In its resolution 1/1 of 29 April 1992, on strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations crime prevention and criminal justice programme, the Commission adopted a number of directives that should be followed when determining the priorities of and supervising the crime prevention and criminal justice programme.
2. The Economic and Social Council, in its resolution 1993/34, invited Member States to prepare and circulate in advance of each session proposals on specific objectives and activities, as recommended in Commission resolution 1/1, underlining the importance for the third and subsequent sessions of the Commission of implementing the mechanisms referred to in paragraphs 32-35 of the annex to that resolution, for determining the objectives and the specific activities of the programme.
3. As a follow-up, the Secretary-General, on 7 September 1993, sent a note verbale to Member States, asking them to submit any proposals they might have, so as to prepare the present note for the third session of the Commission.

*E/CN.15/1994/1.

II. PROPOSALS BY MEMBER STATES

4. As of beginning January 1994, two responses had been received.

5. The Government of Spain stated that the wide range of issues examined by the Commission did not permit a study of any particular area in depth, which in turn reduced the chances for success in terms of implementation and practical results. As a consequence, without giving up a broad vision of crime, a limited number of issues would deserve specific attention from the programme, such as money-laundering, computer crime, credit fraud and traffic in children.

6. The Government of Spain also suggested that on each of these themes, studies on the most frequent forms of these crimes, possible common characteristics of perpetrators and the most frequent way of realizing these criminal activities (*modus operandi*) should be carried out. It should be decided which activities, of the ones mentioned, should be made a criminal offence. Policy guidelines on the nature and extent of penal sanctions should be defined, in order to guarantee the proportionality of sentences at the international level and thus increase opportunities for general prevention. The programme should provide guidance on the most effective ways of preventing and investigating these activities, as well as on the most suitable judicial procedures to be followed in order to avoid impunity. Relevant forms of judicial cooperation, as well as cooperation between police forces, should be examined at the transnational level. The programme could indicate possible connections between penal agencies and social institutions, for example, neighbourhood and business communities, health and financial institutions. Guidelines on the treatment of offenders should be provided for the police, the judiciary and prison personnel, in order to avoid any kind of privilege in the treatment of offenders that could in turn stimulate criminological activities. Finally, the best forms of technical assistance to countries in need should be defined, as suggested in General Assembly resolution 46/152, annex.

7. The Government of Germany proposed three themes for specific consideration by the Commission, namely, in-depth consideration of the role of criminal law in the protection of the environment, elaboration of practical strategies for the prevention of crime and elaboration of policies to combat organized transnational crime.

III. CONCLUSIONS

8. In view of the limited number of responses received by the Secretary-General to his note verbale at the time of preparing the documentation for the third session of the Commission, no conclusions on the position of the members of the Commission can be drawn; nor can any recommendations be brought to the Commission's attention. Additional reactions that the Secretary-General may have received in the meantime will be reported orally by the Secretariat. However, it should be stressed that in order to better focus and facilitate the debate, and thus enable a strategic management of the programme by the Commission, proposals should in future be sent well in advance, so as to be integrated into the pre-sessional documentation and to allow for a thorough discussion of the topic by the Commission.